

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:11CR00391-003
)	
Plaintiff,)	JUDGE JAMES S. GWIN
)	
v.)	MAGISTRATE JUDGE
)	KENNETH S. MCHARGH
MAURICE HEWSTON,)	
)	<u>REPORT & RECOMMENDATION</u>
Defendant.)	

This matter was referred to the undersigned Magistrate Judge to conduct appropriate proceedings in accordance with Criminal Rule 32.1, except for sentencing.

A revocation hearing was scheduled on September 30, 2015. Present for the hearing was Assistant United States Attorney Brian McDonough for the government and Attorney Carolyn Kucharski for the defendant.

Reference is made to the September 11, 2015, Violation Report which sets forth the alleged violation:

1. New Law Violation - the offender was arrested on February 11, 2015, by Cleveland Police Department for Weapons Under Disability and Discharge of a Firearm in City Limits.

(1:11CR00391-003)

After being fully advised of the allegation and of the potential penalties associated with a finding that he had committed the alleged violation, and after consulting with his attorney, Mr. Hewston admitted to the new law violation, in which he pled guilty in the Cuyahoga County Common Pleas Court on August 11, 2015, in case number CR-15-594564, to an amended charge of Attempted Carry Conceal Weapon (F5).

RECOMMENDATION

The Magistrate Judge finds that the Defendant has knowingly and voluntarily admitted that he violated the conditions of his supervised release by committing the new law violation alleged in the Violation Report and recommends that the Court adopt this finding.

Dated: September 29, 2015

s/Kenneth S. McHargh

Kenneth S. McHargh

United States Magistrate Judge

ANY OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within fourteen (14) days of receipt of this notice. Failure to file objections within the specified time WAIVES the right to appeal the Magistrate Judge's recommendation. *See, United States v. Walters*, 638 F.2d 947 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140 (1985), *reh'g denied*, 474 U.S. 1111 (1986).